

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1793 OF 2005

Johnson Jojef Fernando ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri P.R. Arjunwadkar for the Applicant.
 Shri K.V.Saste, APP for the Respondent- State.

CORAM : A.M.KHANWILKAR, J.
DATED : MARCH 21, 2005

PC :-

. Heard the learned counsel for the parties.
 Perused the record.

2. The only evidence to indicate complicity of the applicant is blood stained clothes of the applicant recovered from laundry. No other evidence is forthcoming to indicate the involvement of the applicant in the commission of the crime. Taking overall view of the matter, as investigation is complete and chargesheet is filed, the applicant, in my opinion, deserves to be released on bail. However, as the prosecution has expressed apprehension that the witnesses are residents of Bhyander as well as the

applicant is from the same area and may influence the prosecution witnesses, the applicant to be released on strict condition as follows:-

(a) The Applicant is directed to be released on bail in connection with C.R.No. I-336/2004, registered with Mira Road Police Station, on executing personal bond in the sum of Rs. 25,000/- (Rs. Twentyfive thousand only) with two local sureties in the like amount.

(b) The Applicant shall not enter the jurisdiction of Mira Road Police Station as well as Bhyander area during the pendency of the trial.

(c) The applicant shall inform his place of residence to the investigating officer as well as the trial court within one week from the date of his release.

(d) The applicant shall regularly report to the nearest police station once in a fortnight on Saturday between 10 a.m. to 2 p.m. during the pendency of the trial.

(e) The applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

(f) The Applicant shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that he is responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

3. Ordered accordingly.

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